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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,156	01/15/2002	Yosato Hitaka	03500.016097.	8866

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

SINGH, SATWANT K

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,156

Applicant(s)

HITAKA, YOSATO

Examiner

Satwant K. Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,9-13 and 15-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,9-13 and 15-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 16 May 2005.

Response to Arguments

2. Applicant's arguments, see amendment, filed 16 May 2005, with respect to the rejection(s) of claim(s) 1, 7, 13, 19, 20, 24, 28, and 32 under Stewart et al. (US 6,714,964) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sasaki et al. (US 6,633,400).

Claim Objections

3. Claim 15 is objected to because of the following informalities: Claim 15 is dependent on Claim 14, which has been cancelled. It appears to the examiner that the claim should be dependent on claim 13. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3, 4, 7, 9, 10, 13, 15, 16, 19, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasaki et al. (US 6,633,400).

6. Regarding Claim 1, Sasaki et al disclose a print order requesting method of communication with a print management apparatus (printer server apparatus 210) via a network, comprising: a receiving step of receiving a printer information description file corresponding to a plurality of printers (if plurality of printer apparatuses 250 are connected to the printer server apparatus 210, names of the apparatuses 250 are listed in the printer description file) (col. 12, lines 56-65), from said print management apparatus (print description file is transmitted from the printer server apparatus to the client PC 30 through the communication network 40) (col. 14, lines 19-23); a print data forming step of forming print data by using a printer driver which can set print set information on the basis of a printer information description file (memory portion 34 stores a printer driver and further stores a printer description file) (col. 13, lines 30-40); a print order forming step of forming the print order on the basis of the formed print data (print data is generated by the client PC 30); and a transmitting step of sending the formed print order to said print management apparatus (output as a print file to the printer server apparatus 210) (col. 13, lines 45-54).

7. Regarding Claim 3, Sasaki et al disclose a method, further comprising a shop information obtaining step of obtaining a shop information file describing attributes of a shop and printers established in said shop, and wherein in said print order forming step, the print order is formed in consideration of the obtained shop information file is formed printer description file lists designation information for designating the respective color profiles and font files stored in the property file directory 22 in the printer server apparatus (col. 2, lines 66-67, col., 13, lines 1-6).

8. Regarding Claim 4, Sasaki et al disclose a method, wherein said transmitting step includes an uploading step of, when an uploading instruction is inputted, uploading said print order to said print management apparatus (print file fetched by the client PC 30 through a disk drive or the like provided in the client PC 30 and output to the printer server apparatus from the client PC through the communication network 40) (col. 13, lines 45-54).

9. Claims 7, 13, and 19 are rejected for the same reason as claim 1.

10. Claims 9, and 15 are rejected for the same reason as claim 3.

11. Claims 10, and 16 are rejected for the same reason as claim 4.

12. Regarding Claim 20, Sasaki et al disclose a print order reception method of communicating with a client via a network, comprising: a printer information description file transmitting step of transmitting a printer information description file describing information corresponding to a plurality of types of printers (if plurality of printer apparatuses 250 are connected to the printer server apparatus 210, names of the apparatuses 250 are listed in the printer description file) (col. 12, lines 56-65) to said client(print description file is transmitted from the printer server apparatus to the client PC 30 through the communication network 40) (col. 14, lines 19-23); a receiving step of receiving a print order from said client (print file output from the client PC 30 is received by the printer server apparatus 210 through the communication network 40) (col. 14, lines 25-27), wherein the print order is formed by said client on the basis of print data which is formed by the client on the basis of print set information in accordance with the printer information description file (printer description file is used by the client PC 30)

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(col. 13, lines 59-60); a data converting step of data-converting print data described by a page description language included in the received print order into a printer description language file as a format in common with the plurality of types of printers (function file, conversion of page description language) (col. 13, lines 15-18) (print property is set according to the property data described in the function file) (col. 14, lines 24-45); and a print order transmitting step of transmitting the data-converted print data in accordance with the print order (printer server apparatus 210 converts the print data into bit-map data in accordance with the set print property) (co 14, lines 24-45).

13. Claims 24, 28, and 32 are rejected for the same reason as claim 20.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 5, 6, 11, 12, 17, 18, 21-23, 25-27, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Stewart et al. (US 6,714,964).

16. Regarding Claim 5, Sasaki et al fail to teach a method, further comprising a second transmitting step of transmitting a print ordering request for one or more print orders which are designated by a user and should be print-ordered among the print orders uploaded to said print management apparatus.

Stewart et al teach a method, further comprising a second transmitting step of transmitting a print ordering request for one or more print orders which are designated

by a user and should be print-ordered among the print orders uploaded to said print management apparatus (user is presented with an option of choosing an item to be purchased for printing) (col. 8, lines 12-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Sasaki with the teaching of Stewart to allow a user to add to an uploaded print order by submitting more than one print order at a time.

17. Regarding Claim 6, Sasaki et al fail to teach a method, further comprising: a list obtaining step of accessing said print management apparatus and obtaining an order list of the print orders uploaded to said print management apparatus; and a preview requesting step of requesting a preview display of the print order instructed by the user from the obtained order list of the print orders.

Stewart et al teach a method, further comprising: a list obtaining step of accessing said print management apparatus and obtaining an order list of the print orders uploaded to said print management apparatus; and a preview requesting step of requesting a preview display of the print order instructed by the user from the obtained order list of the print orders (user is presented with the option of viewing their shopping cart) (col. 8, lines 12-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Sasaki with the teaching of Stewart to allow a user to view a list of the print order to confirm the print order.

18. Claims 11 and 17 are rejected for the same reason as claim 5.

19. Claims 12 and 18 are rejected for the same reason as claim 6.
20. Regarding Claim 21, Sasaki et al fail to teach a method, further comprising: a print order managing step of managing said print order in correspondence to user identification information of the client without performing a printing process; and a transmission control step of controlling so as to transmit the designated print order to a shop which should execute the printing process in accordance with a print ordering instruction from the client.

Stewart et al teach a method, further comprising: a print order managing step of managing said print order in correspondence to user identification information of the client without performing a printing process (documents sent to UPJA 320 for later retrieval); and a transmission control step of controlling so as to transmit the designated print order to a shop which should execute the printing process in accordance with a print ordering instruction from the client (document sent to printer side 300c where it is stored in a main storage unit, and printed according to the user defined specifications) (col. 1, lines 1-11).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Sasaki with the teaching of Stewart to allow a user to designate the specific printer to print the print data.

21. Regarding Claim 22, Sasaki et al fail to teach a method, further comprising: a searching step of searching for a print order to be returned as an order list of print orders among the print orders managed in said print order managing step in accordance with a request from the client with reference to said user identification information of

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said client; and an order list returning step of returning the order list including said searched print order to the client who requested the order list.

Stewart et al teach a method, further comprising: a searching step of searching for a print order to be returned as an order list of print orders among the print orders managed in said print order managing step in accordance with a request from the client with reference to said user identification information of said client (viewing shopping cart); and an order list returning step of returning the order list including said searched print order to the client who requested the order list (choosing an item in shopping cart) (col. 8, lines 12-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Sasaki with the teaching of Stewart to allow a user to search their print orders by viewing the shopping cart.

22. Regarding Claim 23, Sasaki et al fail to teach a method, further comprising: a preview image forming step of forming a preview image by data-converting an image of said data-converted printer description language file; and a returning step of returning the formed preview image to said client in accordance with a preview request from the client.

Stewart et al teach a method, further comprising: a preview image forming step of forming a preview image by data-converting an image of said data-converted printer description language file; and a returning step of returning the formed preview image to said client in accordance with a preview request from the client (browser allows user to view, configure, format, print, etc. the uploaded document) (col. 10, lines 11-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Sasaki with the teaching of Stewart to allow a user to preview the bit-map data prior to printing out the data.

- 23. Claims 25 and 29 are rejected for the same reason as claim 21.
- 24. Claims 26 and 30 are rejected for the same reason as claim 22.
- 25. Claims 27 and 31 are rejected for the same reason as claim 23.

Conclusion

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

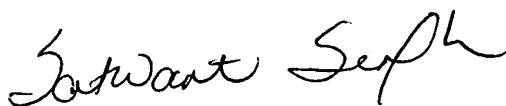
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571)

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272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



sks

Satwant K. Singh
Examiner
Art Unit 2626



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER